Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION NO. 5:15-CR-184-6FL

UNITED ST	TATES OF A	AMERICA	, )
			)
	v.		. )
			)
JOHN BOYN	TON SIDBU	JRY	)

## PRELIMINARY ORDER AND JUDGMENT OF FORFEITURE

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement entered into by the defendant, John Boynton Sidbury, on March 15, 2017, and further evidence of record and as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 21 U.S.C. § 853, to wit:

- a. Any and all funds recovered and taken into evidence by law enforcement during the kidnapping investigation in case 5:15-CR-166-BR;
  - b. Funds seized from Wells Fargo bank account
    #3000195353290;
  - c. Funds seized from Wells Fargo bank account
    #1000004238806;
  - d. Funds seized from BB&T bank account #0005591135432;
  - e. Funds seized from BB&T bank account #0005102492457.

AND WHEREAS, by virtue of said Memorandum of Plea Agreement the United States is now entitled to possession of said property, pursuant to 18 U.S.C. § 853;

It is hereby ORDERED, ADJUDGED and DECREED:

- 1. That based upon the Memorandum of Plea Agreement as to the defendant, John Boynton Sidbury, the United States is hereby AUTHORIZED to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.
- 2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order and Judgment of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).
- 3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant,

having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c).

so ORDERED. This day of \_\_\_\_\_\_, 2017.

LOUISE W. FLANAGAN

United States District Judge